

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHANEL MOODY, AYANDA CARMICHAEL,
AND RONNIE CLARK

Plaintiffs,

vs.

THE RELATED COMPANIES, L.P., AND
ERY SOUTH RESIDENTIAL TOWER LLC,

Defendants.

Case No. 1:21-cv-6238 (VEC)

**DECLARATION OF GABRIEL HERRMANN IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

I, Gabriel Herrmann, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of the bar of this Court and a partner in the law firm of Gibson, Dunn & Crutcher LLP (“Gibson Dunn”), counsel to Defendants The Related Companies, L.P. (“Related”) and ERY South Residential Tower LLC (“ERY”) (together, with Related, “Defendants”) in the above-captioned action.

2. I submit this declaration in support of Defendants’ Motion to Dismiss Plaintiffs’ Complaint, dated September 10, 2021.

3. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiffs’ Complaint in this action, which was filed on July 22, 2021.

4. Attached hereto as Exhibit 2 is a true and correct copy of the New York State Housing Financing Agency’s Amended & Restated Regulatory Agreement for the 15 Hudson Yards Apartments Project (“Regulatory Agreement”), which is also available at https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2020080300635009.

5. Attached hereto as Exhibit 3 is a true and correct copy of the Amended and Restated Declaration of 15 Hudson Yards Condominium, including the associated Condominium By-Laws and Tower Section By-Laws, which is also available at https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2018120700109001.

6. Attached hereto as Exhibit 4 is a true and correct copy of a NYC Housing Connect Flyer for 553 West 30th Street, New York, NY, which is also available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/602.pdf>.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
September 10, 2021

/s/ Gabriel Herrmann
Gabriel Herrmann